

AF/2122  
(JRW)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Board of Patent Appeals and Interferences

Applicants : J. Hediger et al.

Serial No. : 09/931,965

Filed : August 17, 2001

For : A SYSTEM AND USER INTERFACE FOR GENERATION AND  
PROCESSING OF SOFTWARE APPLICATION INSTALLATION  
INSTRUCTIONS

Examiner : K. J. Tang

Art Unit : 2122

**APPEAL BRIEF**

May It Please The Honorable Board:

Appellants appeal the Final Rejection, dated May 20, 2004, of Claims 1 - 23 of the above-identified application. The fee for filing this Brief and any associated extension fee is to be charged to Deposit Account No. 19-2179. Enclosed is a single copy of this Brief.

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Appellants do not request an oral hearing.

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Date:

19 October 2004

**I. REAL PARTY IN INTEREST**

The real party in interest of Application Serial No. 09/931,965 is the Assignee of record:

Siemens Medical Solutions, Inc.  
51 Valley Stream Parkway  
Malvern, PA 19355-1406

**II. RELATED APPEALS AND INTERFERENCES**

There are currently, and have been, no related Appeals or Interferences regarding Application Serial No. 09/931,965.

**III. STATUS OF THE CLAIMS**

Claims 1-23 are rejected and the rejection of claims 1 - 23 is appealed.

**IV. STATUS OF AMENDMENTS**

All amendments were entered and are reflected in the claims included in Appendix I.

**V. SUMMARY OF CLAIMED SUBJECT MATTER**

Independent claim 1 recites a method (Figure 3) for automated generation of installation instructions for an executable software application. The method includes retrieving a template installation instruction information from a persistent data store (Fig. 3 110; page 6, lines 1 - 4) and deriving installation related information supporting data exchange between different systems from configuration data associated with the application (Fig. 3 100; page 9, lines 4 - 10). Thereafter, the derived installation related information is incorporated into the template installation information to form installation instruction data (Fig. 3 120; page 9 lines 4 - 10) and the derived installation instruction data is stored (page 9, lines 4 - 10).

Dependent claim 2 includes the limitations of independent claim 1 along with the additional limitation that the step of deriving installation related information further includes extracting installation data supporting data exchange between different systems from the configuration data (page 10, lines 10 – 16). The installation data includes at least two of:

- i. an identity of a directory to contain the application;
- ii. an identity of data files comprising the application;
- iii. an identity of a communication protocol to be used by the application;
- iv. communication settings for the application;
- v. suggested performance enhancement settings for the application; and
- vi. prompting questions to be answered by a user upon installation of the application (page 10, lines 10 – 16).

Dependent claim 3 includes the limitations of independent claim 1 wherein the executable software application is an interface application enabling communication between the different systems and the different systems comprise executable applications (page 6, lines 17 – 23).

Dependent claim 4 includes the limitations of claim 1 an additional step of formatting the derived installation instruction data as installation documentation (Fig. 3 130; page 10 line 2) for reproduction on an output device. The output device includes a printer and a video display (page 13, lines 13 – 15).

Dependent claim 5 includes the limitations of claim 1 as well as a further limitation that the derived installation instruction data comprises installation instruction text data for output as installation documentation (page 13, line 23 – page 10, line 5).

Dependent claim 6 includes the limitations of claims 1 and 5 and additionally includes a step of selecting an output format for the installation documentation, the output format comprising Rich Text Format, Microsoft® Word compatible format, HTML document format, and Extensible Mark-up Language (XML) compatible format (page 13, lines 18 – 20).

Dependent claim 7 includes the limitations recited in claim 1 and further recites that the step of retrieving template installation instructions information further comprises selecting a file containing the template installation instruction information from a plurality of files containing a corresponding plurality of installation instruction documentation templates for interface applications supporting data exchange between different systems (page 10, lines 2 – 5).

Dependent claim 8 includes the limitations recited in claim 1 and further includes a step of creating a prompt question generating routine (Fig 3, 124) for inclusion in the installation instruction data by incorporating prompt questions into a predetermined question prompting executable procedure, the prompt questions being for answer by a user upon installation of the application (Fig 3, 124; page 11, lines 7 - 11).

Dependent claim 9 includes the limitations recited in claims 1 and 8. Additionally, dependent claim 9 recites that the prompt questions to be answered by a user upon

installation of the application are derived from the configuration data (Fig. 3, 124; page 11, lines 15 – 16).

Dependent claim 10 includes the limitations of claim 1 and further includes creating prompt question documentation for inclusion in the installation instruction data, the prompt question being for answer by a user upon installation of an interface application supporting data exchange between different systems (Fig. 3; page 11, lines 16 – 18).

Dependent claim 11 includes the limitations of claim 1 and further includes providing a map (Fig. 3, 122) for associating items of the derived installation related information and corresponding locations in the template installation information for use in incorporating the derived installation related information into the template installation information and supporting data exchange between different systems (Fig. 3, 124; page 10 lines 17 - 22).

Dependent claim 12 includes all limitations contained in claim 1 and includes a further limitation that the executable software application (page 5, line 10) is an interface application used in exchanging data between different systems comprising a first executable application and a different second executable application (Fig. 1, 20; page 17 – 23). A user is prompted to select at least one of the first executable application and the second executable application (page 6, line 16).

Dependent claim 13 includes all of the limitations of claim 1 and further recites that the system for automated generation of installation instruction documentation for an

executable software application is located on a storage medium together with the application (page 5, line 23 – page 6, line 1).

Dependent claim 14 includes the limitations of claim 1 and further recites that the executable software application (page 5, line 10) is an interface application enabling communication and data exchange between said different systems (page 6, lines 17 – 23). Furthermore, the different systems includes executable applications to be enabled to communicate using installation data extracted from the configuration data. The installation data includes at least one of, (a) a communication protocol identifier and (b) communication settings for at least one of said different systems (page 6, lines 7 – 14).

Dependent claim 15 includes the limitations of claim 1 and further recites that the template installation instruction information comprises predetermined text installation instructions and an executable procedure for generating installation instructions upon procedure execution (page 9, lines 17 – 22).

Independent claim 16 recites a method (Fig. 3) for automated generation of installation instructions for an executable software application. The method includes retrieving template installation instruction information from a data store (Fig. 3, 110; page 6, lines 1 – 4). The installation instruction information includes prompt questions (Fig. 3, 124) for answer by a user upon installation of the application (page 11, lines 16 – 18). The method further includes a step of deriving installation related information (Fig. 3, 100; pages 9, lines 4 – 10) supporting data exchange between different systems from configuration data associated with the application (Fig 1, 12; page 6, lines 7 – 24). Thereafter, the derived installation related information is incorporated into the template installation information to form installation instruction data (Fig. 3, 120; page 9, lines 4 -

10) and the installation instruction data is presented to a user during an installation of the application (page 8, lines 3 – 5).

Dependent claim 17 includes all of the limitations recited in claim 16 and further recites that the executable software application (page 5, line 10) is an interface application enabling communication and data exchange between said different systems (page 6, lines 17 – 23). Additionally, the different systems comprise executable applications to be enabled to communicate using installation data extracted from the configuration data, including at least one of, (a) a communication protocol identifier and (b) communication settings for at least one of said different systems (page 6, line 7 – 14).

Dependent claim 18 includes the limitations recited in claim 16 and includes a step of creating a prompt question generating procedure for generating the prompt questions for answer by the user (page 10, line 23 – page 11, line 3).

Dependent claim 19 includes the limitations recited in claim 16 as well as a step of selecting the prompt questions from a larger set of prompt questions (page 11, lines 3 – 4).

Independent claim 20 recites a user interface method supporting installation of an executable software application. The method includes initiating a display of application installation instructions including prompt questions for answer by a user upon installation of the application. The application installation instructions are formed by (i) retrieving template installation instruction information from storage (Fig. 3, 110); (ii) deriving installation related information supporting data exchange between different systems from configuration data associated with the application (Fig. 3; 100), and (iii) incorporating the derived installation related information into the template installation information to form

the application installation instructions (Fig. 3, 120; page 9, lines 4 – 10). Thereafter, the executable software application is installed in response to user command received via the displayed prompt questions (Fig. 3, 124; page 11, lines 15 – 16).

Independent claim 21 recites a user interface method supporting automated generation of installation instruction documentation for an executable software application. The method includes initiating the display of application installation instructions formed by (i) retrieving template installation instruction information from storage, the installation instruction information including prompt questions for answer by a user upon installation of the application (Fig. 3; 110); (ii) deriving installation related information supporting data exchange between different systems from configuration data associated with the application (Fig. 3; 100), and (iii) incorporating the derived installation related information into the template installation information to form the application installation instructions (Fig. 3; 120; page 9, lines 4 – 10). Thereafter, the display of the prompt questions is initiated for answer by a user upon installation of the application (Fig. 3, 124; page 11, lines 15 – 16).

Dependent claim 22 includes all the limitations of claim 21 and further recites that the said executable software application is an interface application used in exchanging data between different systems comprising a first executable application and a different second executable application. Additionally, the prompt questions prompt a user to select at least one of the first executable application and the second executable application (page 6, lines 17 – 23).

Independent claim 23 recites a system (Fig. 1, 30) for automated generation of installation instructions for an executable software application. The system includes



configuration data for a software interface (Fig. 1, 12; page 6, lines 7 – 8) and a template (Fig 1, 14), comprising documentation and data fields to receive one or more configuration data elements (page 5, lines 13 – 16). The system further includes a computer system (Fig. 1, 30) comprising a memory and a processor and software executable in the computer system for creating a data file containing installation data (page 6, lines 7 – 24). The installation data supports data exchange between different systems derived from configuration data (page 6, line 7 – 24) and is incorporated into the template (page 9, line 4 – 10). The installation data includes documentation of an installation process for the software interface (page 9, lines 4 – 10).

## **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

Claims 1-2, 4-5, 7-11, 13 and 15-21 stand rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent 6,237,144 – Delo.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,237,144 – Delo in view of U.S. Patent 6,336,124 - Alam.

Claims 3, 12, 14 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,237,144 – Delo in view of U.S. Patent 6,567,860 - Maxwell.

## **VII. ARGUMENT**

Delo when taken alone or in any combination with Alum et al. or Maxwell et al. neither anticipates nor makes unpatentable the present claimed invention. Thus, reversal of the Final Rejection (hereinafter termed “rejection”) of claims 1-23 under 35 U.S.C. §§ 102(a) and 103(a) is respectfully requested.

### Overview of the Cited References

Delo recites a method and system for installing computer programs where installation is accomplished based on an "as complete" description of the installed features, components and resources of the computer program. The necessary files and components required for installation of a given feature or component are determined by marking for installation of any components which are not presently installed, preparing a script of required installation executions, and then executing the instructions to install the necessary files or components. Components are marked for installation or un-installation in temporary columns and rows which are dynamically added to data tables used to identify components and features which are available for installation. Individual components of a feature may be added or removed by simply marking that component for installation or removal. When the instructions in the installation script are executed, that particular component will be installed or removed according to the instructions. Installation of a given software application is streamlined because any component of a program application to be installed which is already installed on the user's computer need not be reinstalled upon the installation of the desired feature. Only components or files thereof which must be installed in addition to previously installed components or files need be installed for the installation of the software application program.

Alam et al. recite a computer implemented method of converting a document in an input format to a document in a different output format. The method generally comprises locating data in the input document, grouping data into one or more intermediate format blocks in an intermediate format document, and converting the intermediate format

document to the output format document using the intermediate format blocks. Each intermediate format block may be a paragraph, a line, a word, a table, or an image. The input document may be received over a network and the output document is sent over the network. A linked table of contents and/or an index may be generated. A computer executable program may be generated and inserted into the output document for selecting one output format for display. The output document may be displayed by locating sub-page breaks in the document, subdividing the document into sub-pages using the sub-page breaks, locating blocks within each sub-page, and sequentially displaying all or a portion of each block of the sub-pages within display parameters of a display configuration. Tables may be divided to be displayed in more than one display page. The converter may be incorporated in a computer program product for maintaining a repository of input documents in one or more storage formats.

Maxwell et al. disclose a method and apparatus for inputting new device driver information into a Personal Computer (PC) in an existing computer network so as to enable the Operating System (OS) to recognize the new hardware device during installation of the OS and to permit the OS to automatically install the associated device driver. The system includes a computer system having a memory, display, storage media, a CD-ROM drive and/or floppy disk drive, an input/output system, and an add-device tool. The device driver code and related information is input into the computer and is stored in one or more files. A pointer is entered to a source path for the operating system and a pointer to an answer file for the operating system. A code mechanism is executed in the add-device tool to automatically modify the answer file for the operating system and to automatically modify OS installation for the operating system based upon the device driver code and information

and the operating system can subsequently configure itself to communicate with the device driver.

**Rejection of Claims 1-2, 4-5, 7-11, 13 and 15-21 under 35 U.S.C. 102(a)**  
**over Delo (U.S. Patent 6,237,144)**

Reversal of the Final Rejection (hereinafter termed “rejection”) of claims 1-2, 4-5, 7-11, 13 and 15-21 under 35 U.S.C. 102(a) as being anticipated by US Patent 6,237,144 issued to Delo is respectfully requested because the rejection makes crucial errors in interpreting the cited reference. The rejection erroneously states that claims 1-2, 4-5, 7-11, 13 and 15-21 are anticipated by Delo.

**CLAIMS 1**

A principal issue here is whether Delo discloses a method for “automated generation of installation instructions for an executable software application, comprising: retrieving template installation instruction information from a persistent data store; deriving installation related information supporting data exchange between different systems from configuration data associated with the application; incorporating the derived installation related information into the template installation information to form installation instruction data; and storing the derived installation instruction data”. Applicant respectfully submits that these features are not shown (or suggested) in Delo.

The “automated” generation of installation instructions for an executable software application of claim 1 involves “deriving installation related information supporting data exchange between different systems from configuration data associated with the

application” and “incorporating the derived installation related information” into “template installation information to form installation instruction data”. These features enable the provision of “up-to-date documentation” that “substantially eliminates the possibility that documentation” does “not match the interface”, lessens the “possibility that installation documentation will get misplaced or destroyed” and allows “an installer of interfaces to automatically create real-time documentation reflecting all changes, substantially eliminating the cost of installation documentation distribution” (Application page 7, line 9 to page 8, line 2).

In contrast, the system of Delo addresses particular identified deficiencies involved in installing computer programs “by providing a method and system for installing computer programs where installation is accomplished based on an “as complete” description of the installed features, components and resources of the computer program” (Delo column 2, lines 28-63). The system disclosed by Delo neither discloses nor suggests “deriving installation related information supporting data exchange between different systems from configuration data associated with the application” and “incorporating the derived installation related information” into “template installation information to form installation instruction data” as in the present claimed invention.

Delo in Figure 4 and elsewhere, fails to show or suggest incorporation of “derived installation related information” into “template installation information” at all and does not even discuss or mention “template installation instruction information”. Contrary to the Rejection statement (on page 3), Delo in Figure 4, Table 405 and associated text merely presents a block diagram “illustrating exemplary data table structures for maintaining data relating to computer software features, components, and resources” (Delo column 4, lines 24-29). Figure 4 and the associated text does NOT show or suggest “installation instruction

information”. Rather, Figure 6 of Delo contains “installation instructions” specifically “FIG. 6 is a flow diagram illustrating exemplary steps for installing and un-installing particular computer software components” (Delo, column 4, lines 33-37). There is NO disclosure or suggestion in Delo of “**deriving** installation related information supporting data exchange” **from** the “**configuration data associated**” with the “**application**” for which “installation instructions” are being generated” and “incorporating the derived installation related information into the template installation information to form installation instruction data” as in the present claimed invention.

The system of claim 1 concerns generation of installation instructions. In contrast, Delo is silent (and provides no 35 USC 112 enabling disclosure) on HOW installation instructions are generated. Delo merely states that “information *required to effect* the installation” is illustrated in the data tables shown in FIG. 4. (Delo, column 12, line 66 to column 13, line 7). Simply indicating that particular information is “required to effect” installation does not provide enabling disclosure of HOW installation instructions are generated and does not suggest “**incorporating the derived installation** related information into the template installation information to **form installation instruction data**” as in the present claimed invention.

Contrary to the Rejection statement (on page 3 and elsewhere), Delo in Figure 4 Table 405 and associated text merely presents a block diagram “illustrating exemplary data table structures for maintaining data relating to computer software features, components, and resources” and “feature/component table **415**...is used to map features defined by data contained in the feature table **405** to components of those features which are defined by data contained in the component table **425**”. Such features include “lex engine component **427**, the dictionary component **428**, and the spell engine component **429**” that “comprise

the spell feature **407**". The "feature/component table **415** is utilized to join or link the features represented in the feature table **405** with their constituent components represented in the component table **425**" (Delo, column 10, lines 22-35). Delo, in Figure 4 or elsewhere, neither discloses nor suggests "automated" generation of installation instructions by "retrieving template installation instruction information", "deriving installation related information" and "incorporating the derived installation related information into the template installation information to form installation instruction data" as claimed in claim 1 of the present invention.

Similarly, contrary to the Rejection statement (on page 3 and elsewhere), Delo in Figure 4, Table 415 and associated text does not show or suggest "deriving installation related information" supporting "**data exchange** between **different systems** from configuration data associated with the application" and does not show or suggest "**automated**" generation of such "installation related information" for "an executable software application" as claimed in claim 1 of the present invention. Delo, in Figure 4 or elsewhere, fails to show or suggest "deriving installation related information" from "configuration data" at all. In addition since Delo addresses particular identified deficiencies involved in installing computer programs (Delo, column 2, lines 28-63) and NOT the specific problems involved in providing "up-to-date documentation" for use in application and interface installation, there is no problem recognition, other motivation or reason for Delo to incorporate the claimed features.

The Examiner, in the Advisory Action, erroneously reiterates his reliance on Figure 4 of Delo in order to show that Delo anticipates the present claimed invention. Specifically, the Examiner relies on tables 405, 415, 425 and 435 in Figure 4 along with column 11, lines 28 – 46 to support this contention. Applicant respectfully disagrees that

these elements of Figure 4 anticipate the present claimed invention. The above cited Figures and text is NOT equivalent to the “template installation instruction information” of the present claimed invention. Rather, table 405 of Figure 4 is a “feature table” which corresponds to a feature of a program and each feature has one more components shown in table 425. Table 415 is a table for mapping features using data stored in table 405 with component of the features stored in table 425. Therefore, it is respectfully submitted these tables in Figure 4 disclose “feature data” but neither disclose nor suggest “template installation instruction information” as in the present claimed invention. Furthermore, column 11, lines 28 – 46 of Delo merely disclose the various states in which the “feature data” may exist and does not disclose or suggest “retrieving template installation instruction information from a persistent data store” as in the present claimed invention.

The Examiner further cites Figure 6, step 665 and the associated text in support of his contention that Delo discloses “automated generation of installation instructions” as in the present claimed invention. However, the cited text merely discloses “generation of **records containing data** representing instructions for the execution of the desired installation action” not the “automated generation” of the instructions themselves. Delo does not disclose or suggest “automated generation”. Thus, in order for Delo to anticipate the present claimed invention, Delo must disclose all claimed features. Therefore, since Delo neither discloses nor suggests “automated generation of installation instructions” as in the present claimed invention, it is respectfully submitted that Delo does not anticipate the present claimed invention.

Independent claims 20 and 21 are considered to be patentable for the reasons given in connection with claim 1, as well as the reasons heretofore discussed with respect to claims 8 and 16 because of the additional feature combinations they represent.



In view of the above remarks, it is respectfully submitted that Delo neither discloses nor suggest every feature claimed in the present invention and therefore, the present claimed invention is not anticipated by Delo. Consequently, withdrawal of the rejection of claims 1, 20 and 21 under 35 USC 102(a) is respectfully requested.

### CLAIM 2

Dependent claim 2 is considered to be patentable based on its dependence on claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to claim 2. In addition, claim 2 is also considered to be patentable because, contrary to the Rejection statement on page 3-4, Delo does NOT show or suggest extracting “an identity of data files comprising the application” and “prompting questions to be answered by a user upon installation of the application” that “support data exchange between different systems **from the configuration data associated**” with the “**application**” for which “installation instructions” are being generated as claimed in claim 2 of the present invention. Delo states “At step **665**, an install script **500**, as illustrated in FIG. 5, is generated with records containing data representing instructions for the execution of the desired installation action” (Delo, column 16, lines 27-33). Install script 500 is a program executed in step 670 of the process of Figure 6 (Delo, column 16, lines 34-36, column 13, line 2-36) and does NOT involve generation of “prompt questions” to a user. The prompt questions relied on by the Examiner in the Rejection on page 4 (column 14, lines 50-53, and column 14, line 54 to column 15, line 2) occur in the user interactive (i.e., involving manual operation) portion of the Delo process of Figure 6 (“At step **615**,...the installer application **201** may display a user interface, such as a dialog box, which presents the user

with the option of selecting which features of the product to install” (Delo, column 14, lines 45-53).

There is no 35 USC 112 enabling disclosure at all in Delo of how the installation process of Figure 6 that includes step 615, is generated. Consequently, there is no suggestion in Delo of extracting “prompting questions to be answered by a user upon installation of the application” that “support data exchange between different systems **from the configuration data associated**” with the “**application**” for which “installation instructions” are being generated as claimed in claim 2 of the present invention.

Applicant further disagrees with the Examiner’s contention that Delo discloses extracting “prompting questions to be answered by a user upon installation of the application” that “support data exchange between different systems from the configuration data associated” as in the present claimed invention. While step 615 in Delo discloses prompting a user, the prompting is merely to alert a user that the user is attempting to access and use a function that has not yet been installed. This “prompting” is not equivalent to “extracting installation data supporting data exchange between different systems from the configuration data” wherein “the installation data” is “prompting questions to be answered by a user upon installation of the application” as in the present claimed invention. Delo neither discloses nor suggests that the “prompting questions” “support[ing] data exchange between different systems” as in the present claimed invention.

In view of the above remarks regarding claims 1 and 2, it is respectfully submitted that the present invention as claimed in claim 2 is not anticipated by Delo. Therefore, it is

further respectfully submitted that this rejection has been satisfied and should be withdrawn.

#### CLAIM 4

Dependent claim 4 is considered to be patentable based on its dependence on claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to claim 4. In addition, claim 4 is also considered to be patentable because Delo does not show (or suggest) the combination of features of claim 4 involving “formatting” the derived installation instruction data supporting **“data exchange between different systems”** as “installation documentation for reproduction on an output device, the output device comprising a printer and a video display”.

Applicant respectfully disagrees that in column 16, line 27 – 33 Delo shows the above claimed feature. The text cited by the Examiner was also erroneously cited above as disclosing “automated generation of installation information”. Similarly as discussed above regarding claim 1, column 16, lines 27 – 33 of Delo also neither disclose “formatting the derived installation instruction data as installation documentation for reproduction on an output device” as in the present claimed invention. The cited portion of Delo merely discloses generating an install script including a first record including an instruction to install a first file and a second record including an instruction to register the first file. Therefore, it is clear that Delo neither discloses nor suggests the limitation of claim 4 of the present invention. Furthermore, there is no 35 USC 112 enabling disclosure in Delo regarding either “automated generation of installation information” or “formatting the derived installation instruction data as installation documentation for reproduction on an output device”.

In view of the above remarks, it is respectfully submitted that claim 4 of the present invention is not anticipated by Delo for the reasons discussed above. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

### CLAIM 5

Dependent claim 5 is considered to be patentable based on its dependence on claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to claim 5. In addition, claim 5 is also considered to be patentable because Delo does not show (or suggest) a system in which the “derived installation instruction data comprises installation instruction text data for output as installation documentation”. Contrary to the Rejection statement on page 4, Figure 4 of Delo does NOT show “installation instructions” but merely “information *required to effect* the installation” in the data tables shown in FIG. 4. (Delo, column 12, line 66 to column 13, line 7). Further, there is no 35 USC 112 enabling disclosure at all in Delo of how the installation instructions of the process of Delo, Figure 6 are generated. Consequently, there is no suggestion in Delo of automated generation of installation instructions by deriving “installation **instruction text data** for output as installation **documentation**” that supports “data exchange between different systems from the configuration data associated” with the “application” for which “installation instructions” are being generated.

Additionally, the Examiner again erroneously cites column 16, lines 27 – 33 as disclosing the limitation claimed in claim 5 of the present invention. No where in this cited text does Delo disclose or suggest “the derived installation instruction data comprises installation instruction text data for output as installation documentation” as in the present

claimed invention. In fact, Delo merely discloses an install script having records of files. Delo neither discloses nor suggests anything regarding “installation documentation” as in the present claimed invention. Rather, Delo discloses a script containing instructions on objects to be performed during the install, i.e. “a first record in the install script 500 will include the instruction to install the dictionary file 428” (see column 16, lines 3 – 33). This is not “installation text data for output as installation documentation” as in the present claimed invention.

In view of the above remarks, it is respectfully submitted that claim 5 of the present invention is not anticipated by Delo. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

#### CLAIM 7

Dependent claim 7 is considered to be patentable based on its dependence on claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to claim 7. In addition, Claim 7 is also considered to be patentable because Delo does not show (or suggest) a method including “selecting a file containing the template installation instruction information from a plurality of files containing a corresponding plurality of installation instruction documentation templates for interface applications supporting data exchange between different systems” as claimed in claim 7 of the present invention. As previously explained Delo does not show or suggest use of “template installation instruction information” at all. Furthermore, there is no 35 USC 112 enabling disclosure at all in Delo regarding the use of “template installation instruction information”.

In view of the above remarks, it is respectfully submitted that claim 7 is not anticipated by Delo. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

### CLAIM 8

Dependent claim 8 is considered to be patentable based on its dependence on claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to claim 8. In addition, claim 8 is also considered to be patentable because Delo does not show or suggest a method for “deriving installation related information supporting data exchange between different systems from configuration data associated with the application” including the step of “creating a prompt question generating routine for inclusion in the installation instruction data by incorporating prompt questions into a predetermined question prompting executable procedure, the prompt questions being for answer by a user upon installation of the application” as claimed in claim 8 of the present invention. As previously explained, there is no enabling disclosure at all in Delo of how the installation process of Figure 6 that includes step 615 that mentions generation of a dialog box, is generated. (“At step **615**,...the installer application **201** may display a user interface, such as a dialog box, which presents the user with the option of selecting which features of the product to install” Delo, column 14, lines 45-53). Consequently, there is no suggestion in Delo of the feature combination of claim 8 including “creating a prompt question generating routine for inclusion in the installation instruction data by incorporating prompt questions into a predetermined question prompting executable procedure, the prompt questions being for answer by a user upon installation of the application”.

The Examiner, in the Advisory Action maintains his original grounds of rejection over claim 8 and erroneously relies on column 14, line 45 - column 15, line 2 of Delo in support of his contention that Delo discloses the claimed “prompt question generating routine” of the present claimed invention. As discussed above, as well as in the previous response, the prompting performed in Delo is merely to notify a user that the user is attempting to access a previously uninstalled feature. While the prompt in Delo is answerable by a user, Delo neither discloses nor suggests “creating a prompt question generating routine for inclusion in the installation instruction data by incorporating prompt questions into a predetermined question prompting executable procedure” as claimed in claim 8 of the present invention. Thus, it is clear that there is no 35 USC 112 enabling disclosure at all in Delo regarding “creating a prompt question generating routine”.

In view of the above remarks, it is respectfully submitted that the invention as claimed in claim 8 is not anticipated by Delo. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

#### CLAIM 9

Dependent claim 9 is considered to be patentable based on its dependence on claims 1 and 8 and for the reasons given in connection with these claims. Therefore, the arguments presented above with respect to claims 1 and 8 also apply to claim 9. Additionally, claim 9 is also considered to be patentable because Delo does not show or suggest a method for “deriving installation related information supporting data exchange between different systems from configuration data associated with the application” including generating “prompt questions to be answered by a user upon installation...**derived from the configuration** data” of an application. Furthermore, there

is no 35 USC 112 enabling disclosure at all in Delo regarding “generating prompt questions to be answered by a user upon installation”.

In view of the above remarks, applicant respectfully submits that claim 9 is not anticipated by Delo. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

### CLAIM 10

Dependent claim 10 is considered to be patentable based on its dependence on claim 1 for the reason given in connection with claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to claim 10. In addition, claim 10 is also considered to be patentable because Delo does not show or suggest a method for “deriving installation related information supporting data exchange between different systems from configuration data associated with the application” including “creating prompt question documentation for inclusion in the installation instruction data, the prompt question being for answer by a user upon installation of an interface application supporting data exchange between different systems” as claimed in claim 10 of the present invention. As previously explained, there is no enabling disclosure at all in Delo of how the installation process of Figure 6 that includes step 615 that mentions a dialog box is generated. (“At step **615**,...the installer application **201** may display a user interface, such as a dialog box, which presents the user with the option of selecting which features of the product to install” (Delo, column 14, lines 45-53). Consequently, there is no suggestion in Delo of the feature combination of claim 8 including “**creating prompt question documentation** for inclusion in the installation instruction data, the prompt question being



for answer by a user upon installation of an interface application supporting data exchange between different systems”.

As discussed above with respect to claims 2 and 8, the Examiner, in the Advisory Action maintains his original grounds of rejection over claim 10 and erroneously relies on Figure 4 of Delo in support of his contention that Delo discloses the claimed “prompt question documentation” of the present invention. However, there is no 35 USC 112 enabling disclosure in Delo regarding “creating prompt question documentation. As discussed above as well as in the previous response, the prompting performed in Delo is merely to notify a user that the user is attempting to access a previously uninstalled feature. While the prompt in Delo is answerable by a user, Delo neither discloses nor suggests “creating a prompt question documentation for inclusion in the installation instruction data” as in the present claimed invention. In fact, Delo does not disclose that the prompts do anything except notify the user of an uninstalled component and allow the user to determine whether or not the component should be installed. This is wholly unlike and unrelated to “creating a prompt question documentation for inclusion in the installation instruction data” as in the present claimed invention

In view of the above remarks, applicant respectfully submits that the invention as claimed in claim 10 is not anticipated by Delo. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

#### CLAIM 11

Dependent claim 11 is considered to be patentable based on its dependence on claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to

claim 11. In addition, claim 11 is also considered to be patentable because Delo does not show (or suggest) a method including “providing a map for associating items of the derived installation related information and corresponding locations in the template installation information for use in incorporating the derived installation related information into the template installation information and supporting data exchange between different systems”. As previously explained, Delo is silent (and provides no 35 USC 112 enabling disclosure) on HOW installation instructions are generated. Delo merely states that “information *required to effect* the installation” is illustrated in the data tables shown in FIG. 4. (Delo, column 12, line 66 to column 13, line 7). Simply indicating that particular information is “required to effect” installation does not provide enabling disclosure of HOW installation instructions are generated.

Further, Delo, in Figure 4 and the associated text merely presents a block diagram “illustrating exemplary data table structures for maintaining data relating to computer software features, components, and resources”. Delo does NOT suggest “providing a map for associating items of the derived installation related information and **corresponding locations** in the **template** installation information for use in incorporating the derived installation related information into the template installation information and supporting data exchange between different systems” as claimed in claim 11 of the present invention. Delo, in Figure 4 or elsewhere, includes no 35 USC enabling disclosure regarding, and fails to show or suggest, incorporation of “derived installation related information” into “template installation information” at all.

In view of the above remarks, applicant respectfully submits that claim 11 is not anticipated by Delo. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

### CLAIM 13

Dependent claim 13 is considered to be patentable based on its dependence on claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to claim 13. Additionally, Claim 13 is also considered to be patentable because Delo does not show (or suggest) locating “the system for automated generation of installation instruction documentation for an executable software application” on a “storage medium together with the application”. As previously explained Delo does not suggest “**automated generation of installation instruction documentation**” including data “**supporting data exchange** between different systems” or “storage” of such “installation instruction documentation” on a “medium **together with** the application”. Delo is silent (and provides no 35 USC 112 enabling disclosure) on HOW installation instructions are generated. Further, contrary to the Rejection statement on page 5, the Delo installation process is shown in Figure 6 and involves manual steps e.g. step 615 (“At step **615**,...the installer application **201** may display a user interface, such as a dialog box, which presents the user with the option of selecting which features of the product to install” Delo column 14 lines 45-53). Step 670 relied on in the Rejection in column 16, lines 33-37 is just one step in a sequence of steps of Figure 6 involving manual user interaction.

In response to the Examiner’s statement in the Advisory Action, and as discussed hereinabove with specific reference to claim 1, Applicant respectfully disagrees with the interpretation of column 16, lines 27 – 33 of Delo. Specifically, no where in the cited passage does Delo provide any 35 USC 112 enabling disclosure regarding “automated

generation of installation instruction documentation” as claimed in claim 13 of the present invention. In fact, Delo neither discloses nor suggests anything regarding “installation instruction documentation” in the portion cited by the Examiner.

In view of the above remarks, it is respectfully submitted that claim 13 is not anticipated by Delo. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

#### CLAIM 15

Dependent claim 15 is considered to be patentable based on its dependence on claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to claim 15. In addition, claim 15 is also considered to be patentable because Delo does not show (or suggest) processing “template installation instruction information comprises predetermined text installation instructions **and** an executable procedure for **generating installation instructions upon** procedure execution”. As previously explained Delo does not suggest “automated” generation of installation instructions at all. Delo is silent (and provides no 35 USC 112 enabling disclosure) on HOW installation instructions are generated.

In view of the above remarks, it is respectfully submitted that claim 15 is not anticipated by Delo. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

#### CLAIMS 16 and 17

As independent claim 16 includes limitations similar to claims 1 and 8, claim 16 is considered to be patentable for the reasons given in connection with claims 1 and 8. Therefore, the arguments presented above with respect to claims 1 and 8 also apply to claim 16. Additionally, claim 16 is also considered to be patentable because Delo does not suggest a method for “automated generation of installation instructions for an executable software application” including “retrieving template installation instruction information from a data store, the installation instruction information including prompt questions for answer by a user upon installation of the application; deriving installation related information supporting data exchange between different systems from configuration data associated with the application; incorporating the derived installation related information into the template installation information to form installation instruction data; and presenting the installation instruction data to a user during an installation of the application”. As previously explained, Delo is silent (and provides no 35 USC 112 enabling disclosure) on HOW installation instructions are generated. Delo merely states that “information *required to effect* the installation” is illustrated in the data tables shown in FIG. 4. (Delo column 12 line 66 to column 13 line 7). Simply indicating that particular information is “required to effect” installation does not provide enabling disclosure of HOW installation instructions are generated. It also does not suggest “**automated** generation of installation instructions for an executable software application” by “retrieving **template** installation instruction information from a data store, the installation instruction information including **prompt questions** for answer by a user upon installation of the application” in combination with “deriving installation related information supporting **data exchange between different systems from configuration data associated with the application**”. Delo Figure 4 or elsewhere fails to show or suggest incorporation of “derived installation related information” into “template installation information” at all.

Applicant respectfully submits that the arguments set forth above regarding claims 1 and 8 are applicable to the invention as claimed in claim 16. Specifically, Delo, in Figure 4 neither discloses nor suggests “retrieving template installation instruction information from a data store” as in the present claimed invention. Rather, Delo discloses data tables for storing feature data which is wholly unrelated to “template installation instruction information” as in the present claimed invention. Furthermore, Delo neither discloses nor suggests “the installation instruction information including prompt questions” as in the present invention. While Delo discloses prompting users for information, the prompting performed by Delo is merely to notify a user that a desired application is not installed. The prompt questions are not included in the “installation instruction information” as in the present claimed invention.

Dependent claim 17 is considered to be patentable due to its dependence on claim 16 and for the reasons given in connection with claims 1, 8 and 16 and for reasons given later in connection with claim 14. Therefore, the arguments presented above with respect to claims 1, 8 and 16 as well as the arguments presented hereinafter with respect to claim 14 also apply to claim 17. Additionally, claim 17 is also considered to be patentable because Delo does not show or suggest a method for “**automated** generation of installation instructions for an executable software application...enabling communication and data exchange between said different systems” that “comprise executable applications to be enabled to communicate using installation data extracted from the configuration data, including at least one of, (a) a communication protocol identifier and (b) communication settings for at least one of said different systems”. Therefore there is no 35 USC 112 enabling disclosure provided by Delo regarding the features claimed in claim 17 of the present invention.

In view of the above remarks, it is respectfully submitted that the present invention as claimed in claims 16 and 17 are not anticipated by Delo. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

### CLAIM 18

Dependent claim 18 is considered to be patentable based on its dependence on claim 16 and for the reasons given in connection with claims 1, 8 and 16. Therefore, the arguments presented above with respect to claims 1, 8 and 16 also apply to claim 18. In addition, claim 18 is also considered to be patentable because Delo does not suggest the combination of features of claim 18 involving “**automated** generation of installation instructions for an executable software application” involving “creating a prompt question generating **procedure** for generating the prompt questions for answer by the user”.

Applicant respectfully disagrees with the Examiner’s contention that, in column 14, line 45 – column 15, line 2, Delo discloses “creating a prompt question generating procedure” as in the present claimed invention. In fact, as discussed above, Delo merely discloses notifying a user that a desired component is not installed. This is not “creating a prompt generating procedure” as in the present claimed invention. The existence of prompt questions is NOT equivalent to “creating a prompt generating procedure” as in the present claimed invention and it is respectfully submitted that Delo provides no 35 USC 112 enabling disclosure at all regarding “creating a prompt generating procedure”.

In view of the above remarks, it is respectfully submitted that claim 18 is not anticipated by Delo. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

### CLAIM 19

Dependent claim 19 is considered to be patentable based on its dependence on claim 16 and for the reasons given in connection with previous claims. Therefore, the arguments presented above with respect to claims 1 and 16 also apply to claim 19. Claim 19 is further considered patentable because, contrary to the Rejection statement on page 7, Delo, in column 3, lines 22-37, does not show or suggest “selecting the prompt questions from a larger set of prompt questions” as claimed in claim 19 of the present invention. There is no mention or suggestion anywhere in Delo of a “larger set of prompt questions”.

The Examiner emphasizes column 14, line 45 - column 15, line 2 of Delo as disclosing “selecting the prompt question from a larger set of prompt question”. Applicant respectfully disagrees. In fact, the cited text of Delo merely discloses prompting a user to install a previously uninstalled feature or component. This is not equivalent to “selecting the prompt question from a larger set of prompt question” as in the present claimed invention. Installing an additional component as disclosed by Delo is wholly unlike “selecting the prompt question” as in the present claimed invention. Thus, the additional features is NOT “a larger set of prompt questions” as in the present claimed invention. Thus, Delo does not provide any 35 USC 112 enabling disclosure at all regarding “a larger set of prompt questions”.



In view of the above remarks, it is respectfully submitted that claim 19 is not anticipated by Delo. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

#### CLAIM 20

Independent claim 20 includes limitations similar to claims 1, 8 and 16 and is therefore considered patentable be patentable for the reasons given in connection with previous claims. Therefore, the arguments presented above with respect to claims 1, 8 and 16 also apply to claim 20. Specifically, Delo neither discloses nor suggests “application instructions being formed by: (i) retrieving template installation instruction from storage; (ii) deriving installation related information supporting data exchange between different systems from configuration data associated with the application; and (iii) incorporating the derived installation related information into the template installation information to form installation instructions” as in the present claimed invention. As discussed above, these features enable the provision of “up-to-date documentation” that “substantially eliminates the possibility that documentation” does “not match the interface”, lessens the “possibility that installation documentation will get misplaced or destroyed” and allows “an installer of interfaces to automatically create real-time documentation reflecting all changes, substantially eliminating the cost of installation documentation distribution” (Application page 7, line 9 to page 8, line 2).

In contrast, the system of Delo addresses particular identified deficiencies involved in installing computer programs “by providing a method and system for installing computer

programs where installation is accomplished based on an "as complete" description of the installed features, components and resources of the computer program" (Delo column 2, lines 28-63).

Delo, in Figure 4 and elsewhere, fails to show or suggest incorporation of "derived installation related information" into "template installation information" at all and does not even discuss or mention "template installation instruction information". Contrary to the Rejection statement, Delo in Figure 4, Table 405 and associated text merely presents a block diagram "illustrating exemplary data table structures for maintaining data relating to computer software features, components, and resources" (Delo column 4, lines 24-29). Figure 4 and the associated text does NOT show or suggest "installation instruction information". Rather, Figure 6 of Delo contains "installation instructions" specifically "FIG. 6 is a flow diagram illustrating exemplary steps for installing and un-installing particular computer software components" (Delo, column 4, lines 33-37). There is NO disclosure or suggestion in Delo of **"deriving** installation related information supporting data exchange" **from** the **"configuration data associated"** with the **"application"** for which "installation instructions" are being generated" and "incorporating the derived installation related information into the template installation information to form installation instruction data" as in the present claimed invention.

The system of claim 20 concerns generation of installation instructions. In contrast, Delo is silent (and provides no 35 USC 112 enabling disclosure) on HOW installation instructions are generated. Delo merely states that "information *required to effect* the installation" is illustrated in the data tables shown in FIG. 4. (Delo, column 12, line 66 to column 13, line 7). Simply indicating that particular information is "required to effect" installation does not provide enabling disclosure of HOW installation instructions are

generated and does not suggest “**incorporating the derived installation** related information into the template installation information to **form installation instruction data**” as in the present claimed invention.

Similarly, contrary to the Examiner’s contention, Delo in Figure 4, Table 415 and associated text does not show or suggest “deriving installation related information” supporting “**data exchange** between **different systems** from configuration data associated with the application” as in the present claimed invention.

The Examiner, in the Advisory Action maintains his original grounds of rejection over claim 20 and erroneously relies on column 14, line 45 - column 15, line 2 of Delo in support of his contention that Delo discloses the claimed “prompt question generating routine” of the present claimed invention. As discussed above, as well as in the previous response, the prompting performed in Delo is merely to notify a user that the user is attempting to access a previously uninstalled feature. While the prompt in Delo is answerable by a user, Delo neither discloses nor suggests “creating a prompt question generating routine for inclusion in the installation instruction data by incorporating prompt questions into a predetermined question prompting executable procedure” as claimed in claim 8 of the present invention. Thus, it is clear that there is no 35 USC 112 enabling disclosure at all in Delo regarding “creating a prompt question generating routine”.

The Examiner, in the Advisory Action maintains his original grounds of rejection over claim 20 and erroneously relies on column 14, line 45 - column 15, line 2 of Delo in support of his contention that Delo discloses the claimed “prompt questions” of the present claimed invention. As discussed above, as well as in the previous response, the prompting

performed in Delo is merely to notify a user that the user is attempting to access a previously uninstalled feature. While the prompt in Delo is answerable by a user, Delo neither discloses nor suggests that the “installation instructions” include “prompt questions” as claimed in claim 20 of the present invention.

In view of the above remarks, it is respectfully submitted that Delo provides no 35 USC 112 enabling disclosure that would anticipate the present invention as claimed in claim 20. Therefore, it is respectfully submitted that this rejection has been satisfied and should be withdrawn.

#### CLAIM 21

Independent claim 21 includes limitations similar to claims 1, 8 and 16 and is therefore considered patentable be patentable for the reasons given in connection with previous claims. Therefore, the arguments presented above with respect to claims 1, 8 and 16 also apply to claim 21. Specifically, Delo neither discloses nor suggests “application instructions being formed by: (i) retrieving template installation instruction from storage; (ii) deriving installation related information supporting data exchange between different systems from configuration data associated with the application; and (iii) incorporating the derived installation related information into the template installation information to form installation instructions” as in the present claimed invention. As discussed above, these features enable the provision of “up-to-date documentation” that “substantially eliminates the possibility that documentation” does “not match the interface”, lessens the “possibility that installation documentation will get misplaced or destroyed” and allows “an installer of interfaces to automatically create real-time documentation reflecting all changes,

substantially eliminating the cost of installation documentation distribution” (Application page 7, line 9 to page 8, line 2).

In contrast, the system of Delo addresses particular identified deficiencies involved in installing computer programs “by providing a method and system for installing computer programs where installation is accomplished based on an "as complete" description of the installed features, components and resources of the computer program” (Delo column 2, lines 28-63).

Delo, in Figure 4 and elsewhere, fails to show or suggest incorporation of “derived installation related information” into “template installation information” at all and does not even discuss or mention “template installation instruction information”. Contrary to the Rejection statement, Delo in Figure 4, Table 405 and associated text merely presents a block diagram “illustrating exemplary data table structures for maintaining data relating to computer software features, components, and resources” (Delo column 4, lines 24-29). Figure 4 and the associated text does NOT show or suggest “installation instruction information”. Rather, Figure 6 of Delo contains “installation instructions” specifically “FIG. 6 is a flow diagram illustrating exemplary steps for installing and un-installing particular computer software components” (Delo, column 4, lines 33-37). There is NO disclosure or suggestion in Delo of “**deriving** installation related information supporting data exchange” **from** the “**configuration data associated**” with the “**application**” for which “installation instructions” are being generated” and “incorporating the derived installation related information into the template installation information to form installation instruction data” as in the present claimed invention.

Similarly to claims 1, 16 and 20, the system of claim 21, concerns generation of installation instructions. In contrast, Delo is silent (and provides no 35 USC 112 enabling disclosure) on HOW installation instructions are generated. Delo merely states that “information *required to effect* the installation” is illustrated in the data tables shown in FIG. 4. (Delo, column 12, line 66 to column 13, line 7). Simply indicating that particular information is “required to effect” installation does not provide enabling disclosure of HOW installation instructions are generated and does not suggest “**incorporating the derived installation** related information into the template installation information to **form installation instruction data**” as in the present claimed invention.

Similarly, contrary to the Examiner’s contention, Delo in Figure 4, Table 415 and associated text does not show or suggest “deriving installation related information” supporting “**data exchange between different systems** from configuration data associated with the application” as in the present claimed invention.

The Examiner, in the Advisory Action maintains his original grounds of rejection over claim 21 and erroneously relies on column 14, line 45 - column 15, line 2 of Delo in support of his contention that Delo discloses the claimed “prompt questions” of the present claimed invention. As discussed above, as well as in the previous response, the prompting performed in Delo is merely to notify a user that the user is attempting to access a previously uninstalled feature. While the prompt in Delo is answerable by a user, Delo neither discloses nor suggests that the “installation instructions” include “prompt questions” as claimed in claim 21 of the present invention.

In view of the above remarks, it is respectfully submitted that Delo provides no 35 USC 112 enabling disclosure that would anticipate the present invention as claimed in

claim 21. Therefore, it is respectfully submitted that this rejection has been satisfied and should be withdrawn.

Consequently, it is submitted that claims 1, 16, 20 and 21 are patentable under 35 USC 102(a) and reversal of its rejection is respectfully requested. As claims 2, 4 – 5, 7 – 11, 13 and 15 – 19 are dependent upon independent claims 1 or 16, a reversal of the rejection is further respectfully requested.

Therefore, it is respectfully submitted that claims 1-2, 4-5, 7-11, 13 and 15-21 are patentable under 35 U.S.C. 102 and reversal of the rejections of these claims is respectfully requested.

**Rejection of Claim 6 under 35 USC 103(a) over**

**Delo (U.S. 6,237,144) in view of Alam et al. (U.S. 6,336,124).**

In rejecting claims under 35 U.S.C. § 103, it is incumbent upon the examiner to establish a factual basis to support the legal conclusion of obviousness. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596, 1598 (Fed.Cir. 1988). In so doing, the Examiner is expected to make the factual determinations set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 USPQ 459, 467 (CCPA 1966), and to provide a reason why one having ordinary skill in the pertinent art would have been led to modify the prior art or to combine prior art references to arrive at the claimed invention. Such reason must stem from some teaching, suggestion, or implication in the prior art as a whole or knowledge generally available to one having ordinary skill in the art. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 USPQ2d 1434, 1438 (Fed.Cir. 1988), *cert. denied*, 488 U.S. 825 (1988); *Ashland Oil Inc. v. Delta Resins & Refractories, Inc.*, 776 F.2d 28, 293, 227 USPQ 657, 664 (Fed.Cir. 1985),

*cert. denied*, 475 U.S. 1017 (1986); *ACS Hosp. Sys., Inc. v. Montefiore Hosp.*, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed.Cir. 1984). These showings by the Examiner are an essential part of complying with the burden of presenting a *prima facie* case of obviousness. *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed.Cir. 1992).

### CLAIM 6

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,237,144 – Delo in view of U.S. Patent 6,336,124 - Alam. These claims are considered patentable for reasons given in connection with claim 1 and for the following reasons.

Dependent claim 6 is considered to be patentable based on its dependence on claims 1 and 5. Therefore, the arguments presented above with respect to claims 1 and 5 also apply to claim 6. In addition, claim 6 is also considered to be patentable because Delo, when taken alone or in combination with Alam et al., does not suggest a method for “deriving installation related information supporting data exchange between different systems from configuration data associated with the application” wherein the “derived installation instruction data comprise installation instruction text data for output as installation documentation and including the step of “selecting an output format for the installation documentation, the output format comprising Rich Text Format, Microsoft® Word compatible format, HTML document format, and Extensible Mark-up Language (XML) compatible format”.

Neither Delo nor Alam, individually or together, suggest such features. As previously explained Delo does not suggest “automated generation of installation instruction documentation” including data “supporting data exchange between different



systems”. Further, Alam nowhere mentions installation information and Alam, with Delo, fails to suggest “**automated** generation of installation instruction documentation” including data “**supporting data exchange** between different systems”. Alam is concerned with “a method for converting a document stored in one format to a different format. More specifically, a system and method for converting digital data representing an image of a document image stored in one format to other formats for manipulation and display are disclosed” (Alam et al., column 1, lines 16-21). Neither Delo nor Alam et al., individually or together, are concerned with the specific problems addressed by the claimed arrangement in providing “up-to-date documentation” for use in application and interface installation and there is no problem recognition, other motivation or reason for Delo with Alam et al. to incorporate the claimed features. Incorporating the document conversion features of Alam et al. in the system of Delo as suggested by the Rejection results in a system for conversion of instructions from one format to another, for example, and does not involve “**automated** generation of installation instruction documentation” including data “**supporting data exchange** between different systems”. Therefore, withdrawal of the rejection of claim 6 under 35 USC 103(a) is respectfully requested.

**Rejection of Claims 3, 12, 14 and 22-23 under 35 USC 103(a) over**

**Delo (U.S. 6,237,144) in view of Maxwell et al. (U.S. 6,567,860).**

Claims 3, 12, 14 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,237,144 – Delo in view of U.S. Patent 6,567,860 – Maxwell et al. These claims are considered patentable for reasons given in connection with claims 1 and 6 and for the following reasons.

**CLAIM 3**

Dependent claim 3 is considered to be patentable based on its dependence on claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to claim 3. In addition, claim 3 is also considered to be patentable because Delo when taken alone or in combination with Maxwell et al. does not show (or provide any 35 USC 112 enabling disclosure) a method involving “deriving installation related information” for an “executable software application” comprising an “interface application enabling communication” between “different...executable applications”. There is no suggestion in Delo with Maxwell of “automated” generation of “installation instructions for an executable software application” at all and the combined references fail to contemplate “deriving installation related information” for an “executable software application” comprising an “interface application **enabling communication**” between “**different...executable applications**”. Incorporating the teaching of Maxwell in Delo as indicated in the Rejection on page 9 results in a system for installing a device driver application in a computer system based on information identifying pre-installed and uninstalled components of the driver. The combined system nowhere suggests “automated” generation of “installation instructions” for an “interface application **enabling communication**” between “**different...executable applications**” by “deriving installation related information” from application “configuration data”.

In view of the above remarks, it is respectfully submitted that Maxwell et al. when taken alone or in combination with Delo adds nothing that would render the invention as claimed in claim 3 unpatentable. As claim 3 is dependent on claim 1, it is respectfully submitted that claim 3 is patentable for the same reasons as discussed hereinabove with specific reference to claim 1. Thus, it is respectfully submitted that this rejection has been satisfied and should be withdrawn.

### CLAIM 12

Dependent claim 12 is considered to be patentable based on its dependence on claim 1 and for the reasons given in connection with claims 1, 3, 8 and 16. Therefore, the arguments presented above with respect to claims 1, 3, 8 and 16 also apply to claim 12. In addition, claim 12 is also considered to be patentable because Delo when taken alone or in combination with Maxwell et al. does not suggest a method for “**automated** generation of installation instructions for an executable software application” in which the “executable software application is an interface application used in exchanging data between different systems comprising a first executable application and a different second executable application and further comprising prompting a user to select at least one of the first executable application and the second executable application”. These features are not shown or suggested in Delo when taken alone or in combination with Maxwell et al. Delo and/or Maxwell nowhere suggest such a feature combination involving “prompting a user to select at least one of the first executable application and the second executable application” as in the present claimed invention.

As discussed above regarding claim 6, incorporation of the system disclosed by Maxwell with the system of Delo results in a system for installing a device driver application in a computer system based on information identifying pre-installed and uninstalled components of the driver. The combined system nowhere suggests (or provides any 35 USC 112 enabling disclosure of) “automated” generation of “installation

instructions” for an “interface application **enabling communication**” between “**different...executable applications**” by “deriving installation related information” from application “configuration data” as in the present claimed invention.

In view of the above remarks, it is respectfully submitted that Maxwell et al. adds nothing when taken alone or in combination with Delo that would make the present invention as claimed in claim 12 unpatentable. As claim 12 is dependent on independent claim 1, it is respectfully submitted that claim 12 is patentable for the same reasons as discussed above with specific reference to claim 1. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

#### CLAIM 14

Dependent claim 14 is considered to be patentable based on its dependence on claim 1 and for the reasons discussed hereinabove with respect to claims 1, 3 and 16 and because of the additional feature combination that it incorporates. Therefore, the arguments presented above with respect to claims 1, 3 and 16 also apply to claim 14. Specifically, Delo when taken alone or in combination with Maxwell et al. does not show (or suggest) a method involving “deriving installation related information” for an “executable software application” comprising an “interface application enabling communication” and between “different...executable applications”. There is no suggestion in Delo with Maxwell et al. of “automated” generation of “installation instructions for an executable software application” at all and the combined references fail to contemplate “deriving installation related information” for an “executable software application” comprising an “interface application **enabling communication**” between “**different...executable applications**”. Incorporating the teaching of Maxwell et al. with Delo results in a system for installing a device driver

application in a computer system based on information identifying pre-installed and uninstalled components of the driver. The combined system nowhere suggests “automated” generation of “installation instructions” for an “interface application **enabling communication**” between “**different...executable applications**” by “deriving installation related information” from application “configuration data”. Additionally, Maxwell et al. neither disclose nor suggest “executable applications to be enabled to communicate using installation data extracted from the configuration data” as in the present claimed invention.

In view of the above remarks, it is respectfully submitted that Maxwell et al. when taken alone or in combination with Delo adds nothing that would render the invention as claimed in claim 14 unpatentable. As claim 14 is dependent on claim 1, it is respectfully submitted that claim 14 is patentable for the same reasons as discussed hereinabove with specific reference to claim 1. Thus, it is respectfully submitted that this rejection has been satisfied and should be withdrawn.

#### CLAIM 22

Dependent claim 22 is considered to be patentable based on its dependence on claim 21 and for the reasons given in connection with claims 1, 3 and 16 and because of the additional feature combination that it incorporates. Therefore, the arguments presented above with respect to claims 1, 3 and 16 also apply to claim 22. Specifically, Delo when taken alone or in combination with Maxwell et al. does not show (or suggest) a method involving “deriving installation related information” for an “executable software application” comprising an “interface application enabling communication” and between “different...executable applications”. There is no suggestion in a combination of Delo with Maxwell et al. of “automated” generation of “installation instructions for an

executable software application” at all and the combined references fail to contemplate “deriving installation related information” for an “executable software application” comprising an “an interface application used in exchanging data between different systems comprising a first **executable application** and a different second **executable application**” as claimed in claim 22 of the present invention. Incorporating the teaching of Maxwell et al. with Delo results in a system for installing a device driver application in a computer system based on information identifying pre-installed and uninstalled components of the driver. The combined system nowhere suggests “automated” generation of “installation instructions” for an “interface application **enabling communication**” between “**different...executable applications**” by “deriving installation related information” from application “configuration data”. Furthermore, as discussed above, Delo and Maxwell et al. neither disclose nor suggest that “the prompt questions prompt a user to select at least one of the first executable application and the second executable application” as in the present claimed invention.

In view of the above remarks, it is respectfully submitted that Maxwell et al. when taken alone or in combination with Delo adds nothing that would render the invention as claimed in claim 22 unpatentable. Furthermore, claim 22 is dependent on independent claim 21, it is respectfully submitted that claim 22 is patentable for the same reasons as discussed above with specific reference to claims 1 and 21. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

### CLAIM 23

Independent claim 23 recites a system for “automated generation of installation instructions for an executable software application” including, “configuration data for a

software interface; a template, comprising documentation and data fields to receive one or more configuration data elements; a computer system comprising a memory and a processor; and software executable in the computer system for creating a data file containing installation data supporting data exchange between different systems derived from configuration data and incorporated into the template, the installation data comprising documentation of an installation process for the software interface”. Claim 23 is considered to be patentable for reasons given in connection with claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to claim 23. Additionally, claim 23 is also considered to be patentable because Delo when taken alone or in combination with Maxwell does not show (or provide any 35 USC 112 enabling disclosure regarding) processing “software executable in the computer system for creating a data file containing installation data supporting data exchange between different systems derived from configuration data”. As previously explained Delo with Maxwell does not suggest such features. Consequently, withdrawal of the rejection of claims 3, 12, 14 and 22-23 under 35 USC 103(a) is respectfully requested.

### **VIII CONCLUSION**

Neither Delo, Alam et al. nor Maxwell et al. alone or in combination with one another disclose a method for automated generation of installation instructions for an executable software application as in the present claimed invention. Delo, Alam et al., and Maxwell et al. neither disclose nor suggest “retrieving template installation instruction information from a persistent data store” as in the present claimed invention. Additionally, Delo, Alam et al., and Maxwell et al. neither disclose nor suggest “deriving installation related information supporting data exchange between different systems from configuration data associated with the application” as in the present claimed invention. Also, Delo, Alam et al., and Maxwell et al. neither disclose nor suggest “incorporating the

derived installation related information into the template installation information to form installation instruction data” and “storing the derived installation instruction data” as in the present claimed invention. Furthermore, Delo, Alam et al., and Maxwell et al. neither disclose nor suggest “creating a prompt question generating routine for inclusion in the installation instruction data by incorporating prompt questions into a predetermined question prompting executable procedure” as in the present claimed invention.

Accordingly it is respectfully submitted that the rejection of Claims 1– 23 should be reversed.

Respectfully submitted,



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**APPENDIX I - APPEALED CLAIMS**

1. (Previously Presented) A method for automated generation of installation instructions for an executable software application, comprising:

- a. retrieving template installation instruction information from a persistent data store;
- b. deriving installation related information supporting data exchange between different systems from configuration data associated with the application;
- c. incorporating the derived installation related information into the template installation information to form installation instruction data; and
- d. storing the derived installation instruction data.

2. (Previously Presented) The method of claim 1, wherein step (b) further comprises extracting installation data supporting data exchange between different systems from the configuration data, the installation data comprising at least two of:

- i. an identity of a directory to contain the application;
- ii. an identity of data files comprising the application;
- iii. an identity of a communication protocol to be used by the application;
- iv. communication settings for the application;
- v. suggested performance enhancement settings for the application; and
- vi. prompting questions to be answered by a user upon installation of the application.

3. (Previously Presented) The method of claim 1, wherein  
said executable software application is an interface application enabling  
communication between said different systems and  
said different systems comprise executable applications.
4. (Previously Presented) The method of claim 1, including the step of  
formatting the derived installation instruction data as installation documentation  
for reproduction on an output device, the output device comprising a printer and a video  
display.
5. (Previously Presented) The method of claim 1, wherein the derived installation  
instruction data comprises installation instruction text data for output as installation  
documentation.
6. (Original) The method of claim 5, further comprising selecting an output  
format for the installation documentation, the output format comprising Rich Text Format,  
Microsoft® Word compatible format, HTML document format, and Extensible Mark-up  
Language (XML) compatible format.
7. (Previously Presented) The method of claim 1 wherein step (a) further  
comprises selecting a file containing the template installation instruction information from  
a plurality of files containing a corresponding plurality of installation instruction  
documentation templates for interface applications supporting data exchange between  
different systems.

8. (Previously Presented) The method of claim 1 further comprising creating a prompt question generating routine for inclusion in the installation instruction data by incorporating prompt questions into a predetermined question prompting executable procedure, the prompt questions being for answer by a user upon installation of the application.

9. (Original) The method of claim 8 wherein the prompt questions to be answered by a user upon installation of the application are derived from the configuration data.

10. (Previously Presented) The method of claim 1 further comprising creating prompt question documentation for inclusion in the installation instruction data, the prompt question being for answer by a user upon installation of an interface application supporting data exchange between different systems.

11. (Previously Presented) The method of claim 1 further comprising providing a map for associating items of the derived installation related information and corresponding locations in the template installation information for use in incorporating the derived installation related information into the template installation information and supporting data exchange between different systems.

12. (Previously Presented) The method of claim 1, wherein said executable software application is an interface application used in exchanging data between different systems comprising a first executable application and a different second executable application, and further comprising prompting a user to select at least one of the first executable application and the second executable application.

13. (Previously Presented) The method of claim 1, wherein:
- i. the system for automated generation of installation instruction documentation for an executable software application is located on a storage medium together with the application.
14. (Previously Presented) The method of claim 1 wherein
- said executable software application is an interface application enabling communication and data exchange between said different systems and
- said different systems comprise executable applications to be enabled to communicate using installation data extracted from the configuration data, including at least one of, (a) a communication protocol identifier and (b) communication settings for at least one of said different systems.
15. (Original) The method of claim 1 wherein the template installation instruction information comprises predetermined text installation instructions and an executable procedure for generating installation instructions upon procedure execution.
16. (Previously Presented) A method for automated generation of installation instructions for an executable software application, comprising:
- a. retrieving template installation instruction information from a data store, the installation instruction information including prompt questions for answer by a user upon installation of the application;
  - b. deriving installation related information supporting data exchange between different systems from configuration data associated with the application;
  - c. incorporating the derived installation related information into the template installation information to form installation instruction data; and

- d. presenting the installation instruction data to a user during an installation of the application.

17. (Previously Presented) The method of claim 16, wherein

said executable software application is an interface application enabling communication and data exchange between said different systems and

said different systems comprise executable applications to be enabled to communicate using installation data extracted from the configuration data, including at least one of, (a) a communication protocol identifier and (b) communication settings for at least one of said different systems.

18. (Original) The method of claim 16, further comprising creating a prompt question generating procedure for generating the prompt questions for answer by the user.

19. (Original) The method of claim 16 further comprising selecting the prompt questions from a larger set of prompt questions.

20. (Previously Presented) A user interface method supporting installation of an executable software application, comprising:

- a. initiating display of application installation instructions including prompt questions for answer by a user upon installation of the application, the application installation instructions being formed by:
  - i. retrieving template installation instruction information from storage,
  - ii. deriving installation related information supporting data exchange between different systems from configuration data associated with the application, and

- iii. incorporating the derived installation related information into the template installation information to form the application installation instructions; and
  - b. installing the executable software application in response to user command received via the displayed prompt questions.
- 21. (Previously Presented) A user interface method supporting automated generation of installation instruction documentation for an executable software application, comprising:
  - a. initiating display of application installation instructions formed by:
    - i. retrieving template installation instruction information from storage, the installation instruction information including prompt questions for answer by a user upon installation of the application,
    - ii. deriving installation related information supporting data exchange between different systems from configuration data associated with the application, and
    - iii. incorporating the derived installation related information into the template installation information to form the application installation instructions; and
  - b. initiating display of the prompt questions for answer by a user upon installation of the application.
- 22. (Previously Amended) The method of claim 21, wherein
  - a. said executable software application is an interface application used in exchanging data between different systems comprising a first executable application and a different second executable application and

- b. the prompt questions prompt a user to select at least one of the first executable application and the second executable application.

23. (Previously Presented) A system for automated generation of installation instructions for an executable software application, comprising:

- a. configuration data for a software interface;
- b. a template, comprising documentation and data fields to receive one or more configuration data elements;
- c. a computer system comprising a memory and a processor; and

software executable in the computer system for creating a data file containing installation data supporting data exchange between different systems derived from configuration data and incorporated into the template, the installation data comprising documentation of an installation process for the software interface.

## **APPENDIX II - EVIDENCE**

Applicant does not rely on any additional evidence other than the arguments submitted hereinabove.



**APPENDIX III - RELATED PROCEEDINGS**

Applicant respectfully submits that there are no proceedings related to this appeal in which any decisions were rendered..

**APPENDIX IV - TABLE OF CASES**

1. *In re Fine*, 5 USPQ 2d 1600, (Fed Cir. 1988)
2. *ACS Hospital Systems Inc v. Montefiore Hospital*, 221 USPQ 929,933 (Fed. Cir. 1984)
3. *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 USPQ 459, 467 (CCPA 1966)
4. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 USPQ2d 1434, 1438 (Fed.Cir. 1988), *cert. denied*, 488 U.S. 825 (1988)
5. *Ashland Oil Inc. v. Delta Resins & Refractories, Inc.*, 776 F.2d 28, 293, 227 USPQ 657, 664 (Fed.Cir. 1985), *cert. denied*, 475 U.S. 1017 (1986)

**APPENDIX V - LIST OF REFERENCES**

<b><u>U.S. Pat. No.</u></b>	<b><u>Issued Date</u></b>	<b><u>102(e) Date</u></b>	<b><u>Inventors</u></b>
6,237,144 B1	May 21, 2001		Delo
6,336,124 B1	January 1, 2002		Alam et al.
6,567,860 B1	May 20, 2003		Maxwell et al.

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